

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALEXIA CARUSO, a minor, by her Next Friend,
MICHELLE WHITE,

Plaintiff,

Case No. 12-cv-13896-LPZ-MJH

vs.

Hon. Lawrence P. Zatkoff
Magistrate Judge: Michael Hluchaniuk
Lower Court Case No. 12-2485-NF

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a foreign insurance
company,

Defendant.

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**DEFENDANT STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY'S
RESPONSE TO QUALITY CARE CONSULTING'S MOTION TO INTERVENE**

NOW COMES the Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY, by and through their attorneys, Zausmer, Kaufman, August, Caldwell & Tayler, P.C.,

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and for its Response to Quality Care Consulting's Motion to Intervene, states as follows:

1. In response to paragraph 1 of Quality Care Consulting's ("Quality") Motion to Intervene, Defendant State Farm ("Defendant") neither admits nor denies and leaves Quality to its proofs.

2. In response to paragraph 2 of Quality's Motion to Intervene, Defendant neither admits nor denies and leaves Quality to its proofs.

3. In response to paragraph 3 of Quality's Motion to Intervene, Defendant neither admits nor denies and leaves Quality to its proofs.

4. In response to paragraph 4 of Quality's Motion to Intervene, Defendant neither admits nor denies and leaves Quality to its proofs.

5. In response to paragraph 5 of Quality's Motion to Intervene, Defendant neither admits nor denies and leaves Quality to its proofs. Quality failed to comply with FRCP 24(c). Pursuant to FRCP 24(c), Quality was required to attach a "pleading that sets out the claim or defense for which intervention is sought." However, no such pleading was attached to its Motion to Intervene.

6. In response to paragraph 6 of Quality's Motion to Intervene, Defendant neither admits nor denies and leaves Quality to its proofs.

WHEREFORE, Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE, requests that this Honorable Court order Quality Care Consulting to comply with FRCP 24(c) and produce a pleading that sets out the claim or defense for which intervention is sought.

Respectfully submitted,

ZAUSMER, KAUFMAN, AUGUST,
CALDWELL & TAYLER, P.C.

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Dated: November 21, 2012

BRIEF IN SUPPORT OF DEFENDANT
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY'S
RESPONSE TO QUALITY CARE CONSULTING'S MOTION TO INTERVENE

NOW COMES the Defendant, State Farm Mutual Automobile Insurance Company, by and through its attorneys, Zausmer, Kaufman, August, Caldwell & Tayler, P.C., and for its Response to Quality Care Consulting's ("Quality") Motion to Intervene, relies on FRCP 24 in support of its Response. Quality failed to comply with FRCP 24(c). Pursuant to FRCP 24(c), Quality was required to attach a "pleading that sets out the claim or defense for which intervention is sought." However, no such pleading was attached to its Motion to Intervene. Consequently, Defendant has not had an opportunity to review the actual claim to be charged against State Farm. For this reason, Defendant asks the Court to order such pleading to be filed as required by FRCP 24(c).

Respectfully submitted,

ZAUSMER, KAUFMAN, AUGUST,
CALDWELL & TAYLER, P.C.

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Dated: November 21, 2012

CERTIFICATE OF SERVICE

I hereby certify that on **November 21, 2012**, I electronically filed the foregoing paper with the Clerk of the Court, using the ECF system which will send notification of such filing to the following.

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